

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:24-cv-699

NORTH CAROLINA DEMOCRATIC PARTY,)
)
Plaintiff,)
)
v.)
)
NORTH CAROLINA STATE BOARD OF)
ELECTIONS, *et al.*,)
)
Defendants.)

MOTION TO INTERVENE AS DEFENDANT BY JUDGE JEFFERSON GRIFFIN

Pursuant to Federal Rule of Civil Procedure 24, Judge Jefferson Griffin respectfully moves to intervene to defend the propriety of the election law protests challenged in this action. The Motion to Intervene should be granted for all the reasons stated in the Proposed Intervenor's Memorandum of Support of His Motion to Intervene being filed contemporaneously with this Motion.

To satisfy the pleading requirement of Federal Rule of Civil Procedure 24(c), attached to this Motion as Exhibit A is a Proposed Answer to Plaintiff's Complaint. In filing this Proposed Answer, Proposed Intervenor does not waive his right to move this Court for dismissal of any of Plaintiff's claims that fail on procedural and/or legal grounds, should the Court grant intervention.

Proposed Intervenor has conferred with counsel for both the Plaintiff and the named Defendants regarding the relief requested in this Motion. Counsel for Defendants has consented to this motion. Counsel for Plaintiff had not responded to Proposed Intervenor's e-mail at the time he filed this Motion.

Dated: December 9, 2024

Craig D. Schauer
41571 (NC)
DOWLING PLLC
3801 Lake Boone Trail, Suite 260
(919) 529-3351
cschauer@dowlingfirm.com

Troy D. Shelton
48070 (NC)
DOWLING PLLC
3801 Lake Boone Trail, Suite 260
(919) 529-3351
tshelton@dowlingfirm.com

W. Michael Dowling
42790 (NC)
DOWLING PLLC
3801 Lake Boone Trail, Suite 260
(919) 529-3351
mike@dowlingfirm.com

**Local Rule 83.1(d) special appearance
forthcoming*

Respectfully submitted,

/s/ Mark M. Rothrock

Mark M. Rothrock
56747 (NC)
Lehotsky Keller Cohn LLP
8513 Caldbeck Drive
Raleigh, NC 27615
(336) 416-3326
mark@lkcfirm.com

William T. Thompson*
24088531 (TX)
Lehotsky Keller Cohn LLP
408 W. 11th Street, 5th Floor
Austin, TX 78701
(512) 693-8350
will@lkcfirm.com

CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2024, I electronically filed the foregoing Motion to Intervene as Defendant by Judge Jefferson Griffin with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the Plaintiff, the North Carolina Democratic Party. I also hereby certify that I transmitted the document via mail and electronic mail to the following non-CM/ECF participants: Counsel for Defendants, the North Carolina State Board of Education, Karen Brinson Bell, Alan Hirsch, Jeff Carmon, Stacy Eggers IV, Kevin N. Lewis, and Siobhan O'Duffy Millen:

Terence Steed
Mary Carla Babb
South A. Moore
North Carolina Department of Justice
Special Litigation Section
114 W. Edenton Street
Raleigh, NC 227603
(919) 716-6567
tsteed@ncdoj.gov
mcbabb@ncdoj.gov
smoore@ncdoj.gov

Counsel for Defendants

/s/ Mark M. Rothrock
Mark M. Rothrock